



PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Vale et al.
Application No. : 09/919,473
Filed : July 31, 2001
For : Urocortin Proteins and Uses Thereof

Examiner : Dr. Olga Chernyshev
Art Unit : 1646
Docket No. : 690068.578

Commissioner of Patents
Washington, DC 20231

COMBINED RULE 131/132 DECLARATION
OF WYLIE WALKER VALE, JR., PH.D.

Sir:

I, Wylie Walker Vale, Jr., Ph.D., hereby declare that:

1. I am a co-inventor of the subject matter disclosed and claimed in the above-referenced patent application ("the subject application").

2. I have reviewed the Office Action dated October 30, 2003 in the subject application, including the rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) related to U.S. Patent Application Publication No. 2003/0165807 ("Isfort *et al.*") and provide this Declaration for the purpose of demonstrating that we, the co-inventors, had actually reduced the presently claimed invention to practice in this country prior to the March 6, 2001 priority filing date of Isfort *et al.*

3. I have reviewed the publication, Reyes *et al.*, *Proc. Natl. Acad. Sci.* 98:2843-2848 (February 27, 2001) ("Reyes *et al.*"; **Annex A**), which describes work of the co-inventors presently claimed in the subject application. In light of this review, I readily conclude that we (*i.e.*, the co-inventors) conceived and reduced to practice the presently claimed invention prior to March 6, 2001.

4. In support of this conclusion, I note that the manuscript that resulted in the Reyes *et al.* publication was contributed (by myself) to P.N.A.S. on December 28, 2000, and that the Reyes *et al.* paper was subsequently published on February 27, 2001.

5. Accordingly, the subject matter disclosed and claimed in the subject application (*i.e.*, mouse urocortin polypeptides) was reduced to practice prior to the filing date of Isfort *et al.* - that is, prior to March 6, 2001.

6. I further submit that the co-inventors named in the subject application are the only inventors of the information set forth in Reyes *et al.* and claimed in the subject application, and that Reyes *et al.* co-authors K.S. Kunitake, C.A. Arias and J. Gulyas were working under the direction and supervision of one or more of the co-inventors. Therefore, Reyes *et al.* represents the work of the inventors named in the subject application and not the work of another.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the captioned patent application or any patent issued therefrom.

Feb 5, 2004
Date

Wylie Walker Vale, Jr. Ph.D.
Wylie Walker Vale, Jr., Ph.D.

Enclosure:

Annex A (Reyes *et al.*)

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